

REMARKS

In the Office Action of July 6, 2004, claims 1, 4-31 were rejected under 35 U.S.C. 112 as being indefinite. Applicant has cancelled these claims and has replaced the claims with a new set of claims reduced in number and issues. The new claims are believed to be in condition for allowances. The claims particularly point out the process by which a real-time, computerized client record is created during treatment based on the client's direct involvement. The record is accessed during treatment only by input of a proper client ID code in the presence of the client at each of a plurality of processing stations during treatment. The informalities in the prior claims have been corrected with the new set of claims.

Favorable action on the new claims is respectfully requested for the reasons set forth below.

Joao discloses an apparatus and method for providing healthcare information, not the rendering of a computerized healthcare treatment based on real-time client input and coding. Joao discloses a processor which generates a diagnostic report based on symptom information and condition information for a client in conjunction with healthcare information, healthcare theories, healthcare principles, and healthcare research. The diagnostic report contains a list of possible diagnoses and a transmitter transmits the diagnostic report to a computer and a communication device associated with a healthcare provider. The healthcare provider receives the final diagnosis from the list of possible diagnoses and a claim form for submission to a healthcare payer and insurer. Basically, Joao discloses a computer system which utilizes a computerized analysis of a patient's symptoms and conditions to generate a final diagnosis. Like

many other computerized healthcare systems, Joao uses a centralized, comprehensive patient care data base. However, the data base does not contain client records which are established and compiled in real-time during a client's visit and processing through multiple stations at a healthcare facility based on real-time input of client information as claimed and disclosed in the present invention. In other words, the manner in which the healthcare data base of Joao is created and the manner in which it is used is different from the concept of the present invention. Basically, Joao discloses a system wherein either a patient or a healthcare provider can establish a comprehensive, diagnostic patient report. The report is completed from a single location by accessing a central computer. The information is supplied at one time and at one location. Thereafter the patient report can be accessed by any healthcare provider, payer, intermediary, or any other party or user from any location in the world to obtain information about the patient or their care. For example, the example given in the patent is that a patient traveling far from home and out-of-reach by his or her current healthcare provider can be treated by another provider who can access the central processing computer.

The examiner reads Joao to teach a healthcare network including a client station, a business station, a nurse station, and a practitioner station associated with said healthcare facility. The actual language in the patent refers to a central processing computer system which can be a network or server computer. The apparatus also includes a healthcare provider communication device or computer. The apparatus also includes a healthcare payer communication device or computer. The patent also discloses a payer computer, a patient computer, and an intermediary computer that can communicate to one another. The Joao patent does not disclose a network of treatment

process stations having computer programmed instructions related to specific treatment stations such as a client station, a nurse station, and/or a practitioner station. Further, the computers disclosed in the Joao patent are used in a hospital or healthcare facility driven system whereas the stations disclosed and claimed by the present invention are used in a client driven healthcare system.

Applicant agrees with examiner that Joao does not disclose the client's ability to access their record using their ID code while at nurse and practitioner stations. This goes to the heart of the difference of the inventive concept between Joao and the present invention. Joao is directed to a traditional healthcare facility, and the facilitation of client service and payment in this traditional facility. In contrast, the present invention is a new system that focuses on client driven stations for creating a real-time client record to better service the client in a low cost, client driven environment.

Gombrich discloses a patient identification system for relating items with patients and insuring that an identified item corresponds to an identified patient, such as samples taken during examination or laboratory work. For this purpose, the patient identification system includes a computer system interconnected with a plurality of remote terminals. The patient identification system includes a portable bar code reading device to read a patient's unique bar code on their identification bracelet, bar codes on labels attached on specimen containers, and other items, so that the items may be automatically correlated to a specific patient. Gombrich does not teach the invention disclosed and claimed in the present invention, and does not remedy the deficiencies of Joao described above.

In the Office Action, claims 1, 5-7, 14, 15, 18 & 20 stand rejected under 35

U.S.C. 103(a) as being unpatentable over Joao (U. S. Patent 6,283,761) and Gombrich (U.S. Patent 4,857,716). The rejection states that Joao teaches a healthcare network including a plurality of stations. While multiple stations may exist in the Joao system, they are not disclosed as having computers that are accessible by a client ID code supplied by a client during real-time healthcare. The Joao patent does not disclose a client driven computerized healthcare system. It does not disclose the ability of a patient to update and access their record throughout their doctors visit or hospitalization at a plurality of treatment stations. Joao allows the client information to be available over a network to a variety of communication devices, but does not require the presence of the patient or client at any point. The rejection concludes that Joao teaches the ability of the providers to retrieve the patients medical records and this necessitates the entry of client identification information. The present invention requires the use of an individual client ID code in the form of a password or thumbprint and allows client access rather than practitioner access to the client's file. As such, new claim 32 sets forth subject matter not anticipated by Joao alone, or in combination with Gombrich. Joao does not involve a plurality of stations computer program instructions for receiving client ID codes allowing client's access to their own record at each of a plurality of treatment processing stations. This concept is not taught in Joao alone or in combination with Gombrich. The system is different in structure and concept from the client driven healthcare system as disclosed and claimed in the present invention. Accordingly, claim 32 is believed to be in condition for allowance.

Dependent claims 33-43, depending on claim 32, are believed to be in condition for allowance for the same reasons as claim 1 and because of the further limitations

contained therein.

The process of claim 45 is not obvious in view of Joao, alone or in combination with Gombrich. The process of claim 45, as above, includes the necessity for inputting a client ID code at different treatment processing stations for accessing the client record by the client, and creating updated, real-time client records during the treatment process.. For the reasons stated above, applicant respectfully submits that the process set forth in claim 45 is not obvious by Joao in combination with Gombrich or any other reference. As such, applicant respectfully believes that independent claim 45 is in condition for allowance along with all dependent claims 46-51, which claim patentable distinctions in addition to those of claim 45.

Favorable action on the claims and the passing of the case to issuance is respectfully requested in due course of the Patent Office business.

Respectfully submitted,



John A. Demos
Registration No. 52,809
McNair Law Firm, P.A.
P.O. Box 10827
Greenville, SC 29603-0827
Telephone: 864-232-4261
Attorney for the Applicant